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Attorneys for Defendants,  
JVC COMPONENTS (THAILAND) CO.,  
LTD., AGILIS, Inc., and AGILIS  
TECHNOLOGY INC. and Defendant and  
Counter-Claimant,  
VICTOR COMPANY OF JAPAN, LTD.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

NIDEC CORPORATION,

Plaintiff,

vs.

VICTOR COMPANY OF JAPAN, LTD.,  
JVC COMPONENTS (THAILAND) CO.,  
LTD., AGILIS, INC., and AGILIS  
TECHNOLOGY INC.,

Defendants.

AND RELATED COUNTERCLAIMS.

Case No. C05 00686 SBA (EMC)

**STIPULATION AND [PROPOSED]  
ORDER CONTINUING HEARING ON  
MOTIONS TO COMPEL FROM  
APRIL 19, 2006 TO APRIL 26, 2006**

May 3, 2006

Plaintiff Nidec Corporation “Nidec”) and Defendants Victor Company of Japan, Ltd., JVC Components (Thailand) Co., Agilis Inc. and Agilis Technology Inc. (collectively, “Defendants”) respectfully submit this Stipulation And [Proposed] Order Continuing Hearing On Motions To Compel From April 19, 2006 To April 26, 2006, as follows:

WHEREAS, on March 1, 2006, the Defendants filed a Motion To Compel Plaintiff Nidec Corporation To Provide Complete Preliminary Infringement Contentions Under Patent L.R. 3-1 And To Preclude Nidec Corporation’s Belated And Unauthorized Assertion Of Additional Claim Of Infringement (“Defendants’ Motion To Compel”) [D.I. 38];

WHEREAS, on March 8, 2006, Nidec filed a Motion To Compel Defendants To Provide Complete Preliminary Infringement Contentions Pursuant To Patent L.R. 3-1 (“Nidec’s Motion To Compel”) [D.I. 53];

WHEREAS, the Defendants’ Motion To Compel and Nidec’s Motion To Compel are currently scheduled for hearing before the Court on April 19, 2006 at 10:30 am;

WHEREAS, the parties have agreed to continue the hearing of their Motions To Compel to April 26, 2006 at 10:30 am;

WHEREAS, the parties have further agreed to file oppositions to the Motions To Compel by April 5, 2006 and replies if the Court finds that the Defendants’ infringement contentions are deficient for failure to identify the shape of fixtures used in the manufacture of components of the accused products, then the Court should order Nidec to produce documents providing that information before Defendants are required to supplement their Preliminary Infringement Contentions;

WHEREAS, Nidec has no objection to the Defendants’ inclusion of its request in its opposition and of the Court’s consideration of the Defendants’ request at the April 26, 2006 hearing;

NOW THEREFORE, in consideration of the foregoing recitals, Nidec and the Defendants hereby agree that: (1) the hearing of their respective Motions To Compel shall be continued to May 3, 2006 at 10:30 a.m. April 12, 2006 April 26, 2006; (2) oppositions to the Motions To Compel shall be due by April 5, 2006; (3) April 19, 2006 April 12, 2006; (4) the Defendants replies in support of the Motions To Compel shall be due by April 12, 2006;

may request in their opposition to Nidec's Motion To Compel that, if the Court finds that the Defendants' infringement contentions are deficient for failure to identify the shape of fixtures used in the manufacture of components of the accused products, that the Court should order Nidec to produce documents providing that information before Defendants are required to supplement their Preliminary Infringement Contentions; and (5) the Court may consider the Defendants' request at the ~~April 26, 2006~~ <sup>May 3, 2006</sup> hearing.

IT IS SO AGREED AND STIPULATED.

Dated: March 29, 2006

MORGAN, LEWIS & BOCKIUS LLP

FRANKLIN BROCKWAY GOWDY  
THOMAS D. KOHLER  
DAVID C. BOHRER  
MICHAEL J. LYONS

By: /s/ David C. Bohrer

David C. Bohrer

Attorneys for Plaintiff and Counter-defendant  
NIDEC CORPORATION

Dated: March 29, 2006

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By: /s/ Anthony F. Lo Cicero

Anthony F. Lo Cicero

Attorneys for Defendants  
JVC Components (Thailand) Co., Ltd., Agilis  
Inc., and Agilis Technology Inc., and  
Defendant and Counter-plaintiff Victor  
Company Of Japan, Ltd.

1 IT IS SO ORDERED.

2  
3  
4 March 29, 2006

5 Dated: \_\_\_\_\_

HON. EDW.  
UNITED STATES



1 Pursuant to General Order No. 45, Section X(B) regarding signatures, I, David C. Bohrer,  
2 attest that concurrence in the filing of this document has been obtained from each of the other  
3 signatories.

4 I declare under penalty of perjury foregoing is true and correct. Executed this 29th day of  
5 March 2006.

6  
7 /s/ David C. Bohrer  
8 David C. Bohrer  
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